



Rep. La Shawn K. Ford

Filed: 3/8/2011

09700HB1209ham001

LRB097 07717 AJO 52244 a

1 AMENDMENT TO HOUSE BILL 1209

2 AMENDMENT NO. _____. Amend House Bill 1209 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Code of Civil Procedure is amended by
5 changing Section 9-209 as follows:

6 (735 ILCS 5/9-209) (from Ch. 110, par. 9-209)

7 Sec. 9-209. Demand for rent - Action for possession. A
8 landlord or his or her agent may, any time after rent is due,
9 demand payment thereof and notify the tenant, in writing, that
10 unless payment is made within a time mentioned in such notice,
11 not less than 5 days after service thereof, the lease will be
12 terminated. If the tenant does not within the time mentioned in
13 such notice, pay the rent due, the landlord may consider the
14 lease ended, and sue for the possession under the statute in
15 relation to forcible entry and detainer, or maintain ejectment
16 without further notice or demand. A claim for rent may be

1 joined in the complaint, including a request for the pro rata
2 amount of rent due for any period that a judgment is stayed,
3 and a judgment obtained for the amount of rent found due, in
4 any action or proceeding brought, in an action of forcible
5 entry and detainer for the possession of the leased premises,
6 under this Section.

7 Notice made pursuant to this Section shall, as hereinafter
8 stated, not be invalidated by payments of past due rent
9 demanded in the notice, when the payments do not, at the end of
10 the notice period, total the amount demanded in the notice. The
11 landlord may, however, agree in writing to continue the lease
12 in exchange for receiving partial payment. To prevent
13 invalidation, the notice must prominently state:

14 "Only FULL PAYMENT of the rent demanded in this notice will
15 waive the landlord's right to terminate the lease under this
16 notice, unless the landlord agrees in writing to continue the
17 lease in exchange for receiving partial payment."

18 Collection by the landlord of past rent due after the
19 filing of a suit for possession or ejectment pursuant to
20 failure of the tenant to pay the rent demanded in the notice
21 shall not invalidate the suit.

22 (Source: P.A. 83-1398.)".